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News Release

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Jury finds two Ramsey County Sheriff's Office employees guilty of theft, civil rights conspiracy

After five hours of deliberation, a federal jury issued a guilty verdict today against two Ramsey County Sheriff's Office employees charged with stealing money while executing a search warrant.

At the United States Courthouse in Minneapolis, Timothy Conrad Rehak, 48, Ramsey, and Mark Paul Naylor, 48, Ramsey, were each convicted Aug. 27 on one count of theft of government funds, and one count of conspiracy to violate the civil rights of inhabitants of the State of Minnesota. Rehak and Naylor were indicted in March.

"By their corrupt actions, Timothy Rehak and Mark Naylor violated the trust placed in them by the people of the State of Minnesota," said U.S. Attorney Frank J. Magill. "They went from enforcing the law to breaking the law. The jury correctly held them accountable for their illegal actions.

"Our system of justice depends on the integrity of the men and women who are tasked with enforcing our country's criminal laws," Magill added. "The vast majority of them are dedicated and honest public servants. This office, however, will not hesitate to prosecute those involved in law enforcement who cross the line and commit illegal acts."

U.S. District Court Judge Patrick Schiltz thanked the jury for their efforts following the six-day trial. Both defendants face a potential maximum penalty of 10 years on the theft count and 10 years on the conspiracy count. Judge Schiltz will determine their sentences at a future date.

Rehak was a St. Paul Police Officer assigned to the sheriff's office's Special Investigations Unit, and Naylor was the office's public information officer at the time of the offenses charged in the indictment. Although not a licensed peace officer, Naylor often engaged in the duties of a peace officer with the Special Investigations Unit.

In November, Rehak and Naylor became the focus of the Federal Bureau of Investigation,

which conducted several integrity tests on the two men. The first test, conducted on Nov. 3, 2004, occurred at the Best Western Kelly Inn in St. Paul.

Rehak learned that a drug trafficker had left drugs and cash in a hotel room, so Rehak and Naylor first attempted to enter the room without a search warrant. The two officers eventually obtained a search warrant, and executed it at approximately 3:30 p.m. along with a supervisor for the Special Investigations Unit.

While the supervisor was searching the bathroom, Rehak located a bag inside the dresser, which contained \$13,500. Naylor motioned for Rehak to give him some of the currency, and Rehak gave Naylor \$6,000, which Naylor placed in his jacket pocket.

The two men alerted the supervisor that they had discovered the bag, and removed the remaining \$7,500 from the bag. The \$7,500 was placed into evidence, and Rehak and Naylor failed to inform the supervisor of the additional \$6,000.

The room was also searched by a canine officer, who sniffed the \$7,500 for the odor of narcotics. The entire search of the hotel room was recorded by the FBI, and the videotape was presented to the jury.

Rehak and Naylor became suspicious about the situation because no narcotics were left in the hotel as they were originally told.

Concerned that the hotel room was a law enforcement integrity test, the defendants called the supervisor at his residence and told him that an additional \$6,000 had been recovered in the mattress in the hotel room. They gave the supervisor the cash the next day, and it was properly inventoried.

"I would like to thank the FBI for its excellent and dogged work on this investigation and prosecution," Magill said. "I would also like to thank Ramsey County Sheriff Bob Fletcher for the cooperation this office received from the Ramsey County Sheriff's Department, along with Chief John Harrington and the St. Paul Police Department. Finally, I want to acknowledge the outstanding work done on this case by Assistant U.S. Attorneys John Marti and Joe Dixon."

This case is the result of an investigation by the FBI, and is being prosecuted by Assistant U.S. Attorneys Marti and Dixon.